

Part 4 Registry

78B-15-401 Maintenance of records.

- (1) The Office of Vital Records shall register the following records which are filed with the office:
 - (a) all declarations of paternity;
 - (b) all judicial and administrative determinations of paternity; and
 - (c) all notices of proceedings to establish paternity which are filed pursuant to Sections 78B-6-110, 78B-6-120, 78B-6-121, and 78B-6-122.
- (2) A notice of initiation of paternity proceedings may not be accepted into the registry unless accompanied by a copy of the pleading which has been filed with the court to establish paternity.
- (3) A notice of initiation of paternity proceedings may not be filed if another man is the adjudicated or declarant father.

Renumbered and Amended by Chapter 3, 2008 General Session

78B-15-402 Effect of registration.

- (1) An unmarried biological father who desires to be notified of a proceeding for adoption of a child must file a notice of the initiation of paternity proceedings as required by Sections 78B-6-110, 78B-6-120, 78B-6-121, and 78B-6-122.
- (2) A registrant shall promptly notify the registry in a record of any change in the information registered. The Office of Vital Records shall incorporate all new information received into its records but need not affirmatively seek to obtain current information for incorporation in the registry.

Renumbered and Amended by Chapter 3, 2008 General Session

78B-15-403 Notice of proceeding.

Notice of an adoption proceeding shall be given to unmarried biological fathers pursuant to Section 78B-6-110.

Renumbered and Amended by Chapter 3, 2008 General Session

78B-15-404 Required form.

- (1) The Office of Vital Records shall prepare a form to be filed with the agency. The form shall require the signature of the registrant and state that the form is signed under penalty of perjury.
- (2) The form shall also state that:
 - (a) a timely filing of notice of the initiation of paternity proceedings which is filed pursuant to Subsection 78B-15-402(1) entitles the registrant to notice of a proceeding for adoption of the child;
 - (b) a timely filing does not commence a proceeding to establish paternity;
 - (c) the information disclosed on the form may be used against the registrant to establish paternity;
 - (d) services to assist in establishing paternity of a child who is not placed for adoption are available to the registrant through the Office of Recovery Services;

- (e) the registrant should also file in another state if conception or birth of the child occurred in the other state;
- (f) information on registries of other states is available from the Office of Vital Records; and
- (g) procedures exist to remove the filing of a proceeding to establish paternity if the proceeding is dismissed, or if a finding of paternity is rescinded or set aside under this chapter.

Renumbered and Amended by Chapter 3, 2008 General Session

78B-15-405 Furnishing of information -- Confidentiality.

- (1) The Office of Vital Records shall send a copy of the filing to a person or entity set forth in Subsection (2), who has requested a copy. The copy of the filing shall be sent to the most recent address provided by the requestor.
- (2) Information contained in records which are filed pursuant to Section 78B-15-401 is confidential and may be released on request only to:
 - (a) a tribunal or a person designated by the tribunal;
 - (b) the mother of the child who is the subject of the filing;
 - (c) an agency authorized by other law to receive the information;
 - (d) a licensed child-placing agency;
 - (e) the Office of Recovery Services, the Office of the Attorney General, or a support-enforcement agency of another state or tribe;
 - (f) a party or the party's attorney of record in a proceeding under this chapter or in a proceeding for adoption of, or for termination of parental rights regarding, a child who is the subject of the filing; and
 - (g) the registry of paternity in another state.

Renumbered and Amended by Chapter 3, 2008 General Session

78B-15-406 Penalty for releasing information.

A person who intentionally or knowingly, releases confidential information from the Office of Vital Records which is filed pursuant to Section 78B-15-401 to a person or agency not authorized to receive the information under Section 78B-15-405 is guilty of a class B misdemeanor.

Renumbered and Amended by Chapter 3, 2008 General Session

78B-15-407 Removal of registration.

The Office of Vital Records may remove a registration in accordance with rules adopted by the office in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.

Renumbered and Amended by Chapter 3, 2008 General Session

78B-15-408 Fees for registry.

- (1) A fee may not be charged to remove a registration.
- (2) Except as otherwise provided in Subsection (3), the Office of Vital Records may charge a reasonable fee for registering records pursuant to Section 78B-15-401, making a search of the registry, and for furnishing a certificate.
- (3) The Office of Recovery Services, the Office of the Attorney General, and support-enforcement agencies of other states or tribes may not be required to pay the fee authorized by Subsection (2).

Renumbered and Amended by Chapter 3, 2008 General Session

78B-15-409 Search of records -- Certificate.

- (1) Upon the request of an individual, tribunal, or agency identified in Section 78B-15-405, the Office of Vital Records shall search its records for any registration made pursuant to Section 78B-15-401 and furnish to the requestor a certificate of search which shall be signed on behalf of the office and state that:
 - (a) a search has been made of the records of the Office of Vital Records; and
 - (b) a registration containing the information required to identify the registrant:
 - (i) has been found and is attached to the certificate of search; or
 - (ii) has not been found.
- (2) A petitioner shall file the certificate of search with the tribunal in connection with a proceeding for adoption.

Renumbered and Amended by Chapter 3, 2008 General Session

78B-15-410 Admissibility of information.

A certificate of search of the registry of paternity in this or another state is admissible in a proceeding for adoption of a child and, if relevant, in other legal proceedings.

Renumbered and Amended by Chapter 3, 2008 General Session